

IN THE HIGH COURT OF UTTARANCHAL AT
NAINITAL
WRIT PETITION NO. 7335 OF 2001
(Old No. 22942 of 1987)

Sri Chiranje Lal Nutiyal

..... Petitioners.

Versus

Prescribed Authority, Narendra Nagar, District Tehri-Garhwal
and two others.

.....

Respondents

25.11.2004

Hon'ble Rajesh Tandon, J.

Heard Sri C.D. Bahuguna, counsel for the petitioner and
standing counsel for the respondents.

A review petition has been filed on behalf of Sri Shiv
Prasad Pandey (respondent no. 3) praying, for recalling of the
order dated 4th of December, 1987 by which the writ petition
was disposed of finally.

The Bench of the Allahabad High Court in Writ Petition
No. 22942 of 1987 has recorded a finding that on 27th August,
1987, the appeal was allowed by the District Judge with a
finding that the petitioner was not in unauthorized occupation
of the shop in dispute and in fact, he was the tenant inducted in
the shop by the Public Works Department.

The Bench of the Allahabad High Court has directed to
the following effect:-

*“We direct the respondents to restore the possession of
the said shop as well as restore the possession of the goods
seized from his shop within a period of two weeks from the*

date of the production of a certified copy of this order by the petitioner before the District Magistrate/Tehri Garhwal.”

First, the review petition has been filed and thereafter the file was transferred from Allahabad. Office has issued notices to the parties, but none appears to pursue the review petition

Sri C.D. Bahuguna has submitted that by the order of the Bench of Allahabad High Court dated 04.12.1987, the petitioner has been delivered the possession of the shop in question.

In view of the above, I find no force in the review petition and the same is dismissed. No order as to costs.

25.11.2004
P.S.R.

(RAJESH TANDON, J.)